REMARKS

Claims 1, 4, 5, 30, 48 and 66 have been amended. Claims 3 and 50 have been cancelled. Claims 1-2, 4-20, 30-41 and 48-49 and 51-79 are pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Provisional Double Patenting Rejection:

The Examiner provisionally rejected claims 1-20, 30-41 and 48-79 under the judiciary created doctrine of obviousness-type double patenting as being unpatentable over claims of co-pending Application No. 10/055,649. The instant application and the 10/055,649 application are both pending patent application, not issued patents. If and/or when this rejection becomes non-provisional, Applicants will consider filing a terminal disclaimer or present reasons traversing the rejection.

Section 102(e) Rejection:

The Examiner rejected claims 1-13, 15, 17-20, 30-37, 39, 48-59, 61, 63, 65-74, 76 and 78 under 35 U.S.C. § 102(e) as being anticipated by Weisman et al. (U.S. Application No. 2002/0112058) (hereinafter "Weisman"). Applicants respectfully traverse this rejection for at least the reasons below.

Regarding claim 1, Weisman fails to disclose where each of the plurality of peer nodes is further configured to access another of the plurality of peer nodes on the network using the unique peer identifier of the other peer node, wherein the peer node does not use a network address of the other peer node to access the other peer node. The Examiner cites paragraphs 863-904 of Weisman. However, the cited passage does not describe a peer node accessing another peer node using the unique peer identifier of the other peer node, wherein the peer node does not use a network address of the other peer node to access the other peer node. Instead, this passage describes the contents of the NOTIFY multicast message that a device broadcasts when added to the network.

Weisman teaches that to access another device, messages are sent to the device's control URL, which is a combination of the network URL of the device and a unique identifier for the particular target service on the device. Specifically, Weisman teaches that a service's control URL includes the path to the device, the UDN of the device, the service ID and a randomly generated string (Weisman, paragraphs 122, 130-137, 815, and 1148 - 1150). Since a device's control URL is not independent of, and clearly uses, the network address of the device, Weisman fails to teach a peer node accessing another peer node using the unique peer identifier of the other peer node, wherein the peer node *does not use a network address* of the other peer node to access the other peer node.

Anticipation requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The **identical** invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Weisman fails to disclose where each of the plurality of peer nodes is further configured to access another of the plurality of peer nodes on the network using the unique peer identifier of the other peer node, wherein the peer node does not use a network address of the other peer node to access the other peer node. Therefore, Weisman cannot be said to anticipate claim 1.

Thus, for at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks apply to claims 30, 48 and 66.

Regarding claim 2, Weisman fails to disclose where each of the plurality of peer nodes is further configured to bind a peer identifier corresponding to the particular peer node to the network address of the particular peer node. The Examiner cites paragraphs 181-124 of Weisman. The cited passage describes the addressing within Universal Plug-n-Play (UPnP) networking. Weisman teaches that a device may use an automatic IP

addressing facility to obtain an address. However, the cited passage does not mention any peer nodes configured to *bind a peer identifier* corresponding to the particular peer node *to the network address* of the particular peer node. Instead, the cited passage only describes how a peer node may automatically obtain, such as via DHCP, an IP address. Weisman does not describe any peer node binding a peer identifier to a network address of a particular peer node.

Thus, the rejection of claim 2 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 31, 49 and 67.

Regarding claim 5, Weisman fails to disclose wherein, to access the other peer node, the unique peer identifier of the other peer node is configured to be mapped to one of the one or more network interfaces of the other peer node. The Examiner cites paragraphs 7 and 63 of Weisman. However, neither of these paragraphs describes a peer identifier being mapped to a network interface of the other peer node. Instead, paragraph 7 describes a device hosting framework that listens for control requests and translates control requests into calls to the service objects' programming interfaces (e.g. IDispatch interfaces). Paragraph 63 describes how a hosted device provides a COM object that exposes the service's interface and service interfaces are written in UTL in service descriptions. Thus, the Examiner has failed to cite any portion of Weisman that discloses that the unique peer identifier of the other peer node is configured to be mapped to one of the one or more network interfaces of the other peer node. Moreover, nowhere does Weisman describe that a service's UDN, which the Examiner equates to the unique peer identifier Applicants' claims, is configured to be mapped to a network interface of a peer node. Thus, the rejection of claim 5 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claim 52.

Regarding claim 8, Weisman fails to disclose wherein each of the plurality of peer nodes is assigned a different unique peer identifier in accordance with the peer-to-peer platform for each of the one or more peer groups in which the peer node is a member peer. The Examiner referring to Weisman's container identifier, citing paragraphs 85,

105 and 489. However, Weisman only teaches that a container is a string that identifies the group to which the device belongs and that all devices with the same container identifier will be hosted in the same process. Nowhere does Weisman mention that each peer node is assigned a *different* unique peer identifier for each of the peer groups in which the peer node is a member peer. Weisman merely states that a container identifier identifies the group to which a device belongs. Thus, Weisman clearly fails to disclose wherein each of the plurality of peer nodes is assigned a different unique peer identifier in accordance with the peer-to-peer platform for each of the one or more peer groups in which the peer node is a member peer. Therefore, the rejection of claim 8 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 55 and 70.

Section 103(a) Rejection:

The Examiner rejected claims 14, 16, 38, 40, 41, 60, 62, 64, 75, 77 and 79 under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of Ferguson et al. (U.S. Patent 6,490,618) (hereinafter "Ferguson"). Applicants respectfully traverse this rejection for at least the reasons presented above regarding the respective independent claims.

Regarding both the § 102 and § 103 rejections, Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-07700/RCK.

Also enclosed herewith are the following items:

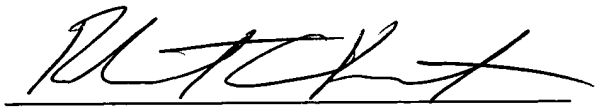
☒ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Other:

Respectfully submitted,



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Date: July 31, 2006